

Charleston, S. C.
June 5, 2012

A regular meeting of County Council of Charleston County was held on the 5th day of June, 2012, at 7:00 p.m., in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Henry E. Darby; Anna B. Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; and Dickie Schweers. Council Member J. Elliott Summey was absent.

Also present were: W. Kurt Taylor, County Administrator and County Attorney Joseph Dawson.

Rev. Robert Reid gave the invocation. Council Member Anna Johnson led in the pledge to the flag.

The Clerk reported that in compliance with the Freedom of Information Act, notice of meetings and agendas were furnished to all news media and persons requesting notification.

Ms. Condon moved approval of Council's minutes of May 22, 2012, seconded by Mr. Sass, and carried.

**1985 Maybank
Highway**

The Chairman announced that the rezoning of the property at 1985 Maybank Highway had been withdrawn by the applicant, but the request to change the future land use recommendation from Suburban Residential/Residential Low Density to Community Commercial was still awaiting third reading approval. It was stated that approval of this Ordinance would in no way effect the request rezoning of the Maybank Highway property that had been withdrawn, but would only bring into conformity the Charleston County Comprehensive Plan Ordinance.

Members of Council requested information on the ability of the applicant to bring this request back to the Planning Commission. It was stated that the applicant had to wait for a year before reapplying for community commercial designation unless he apply to Council for a waiver to bring the community commercial option back and Council approval the request. The County Attorney pointed out that the request for a waiver would require a super majority vote of Council.

An Ordinance amending the Charleston County Comprehensive Plan was given third reading by title only.

AN ORDINANCE

APPROVING THE AMENDMENT OF THE CHARLESTON COUNTY COMPREHENSIVE PLAN (MAP AND TEXT) AT THE FOLLOWING DOCUMENT LOCATION: MAP 3.1.4, FUTURE LAND USE, TO INDICATE A COMMERCIAL FUTURE LAND USE DESIGNATION FOR PARCEL IDENTIFICATION NUMBER 343-03-00-208

Charleston County Council, in a meeting duly assembled, hereby makes the following findings of fact.

WHEREAS, the Charleston County Comprehensive Plan, Map 3.1.4, Future Land Use, currently indicates an Suburban Residential/Residential Low Density Future Land Use Designation for Parcel Identification number 343-03-00-208; and

WHEREAS, a property owner affected by the current designation has made application to amend the Comprehensive Plan in order to amend Map 3.1.4, Future Land Use, to indicate a Commercial Future Land use designation for Parcel Identification Number 343-03-00-208; and

WHEREAS, the application has been reviewed by County staff and has been found to be complete and in proper form; and

WHEREAS, the County Planning Commission has reviewed the application in accordance with the procedures established in state law and the County Zoning and Land Development Regulations;

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed amendments to the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. TEXT AMENDMENTS TO THE COMPREHENSIVE PLAN

The Charleston County Comprehensive Plan is hereby amended at the following document location 3.1.4: Future Land Use Recommendations, to indicate a Commercial Future Land Use designation for Parcel Identification Number 343-03-00-208.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its approval following third reading by the County Council

ADOPTED and APPROVED in meeting duly assembled this 12nd day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

Teddie E. Pryor, Sr., Chairman
Charleston County Council

ATTEST:

Beverly T. Craven, Clerk
Charleston County Council

First Reading: April 24, 2012
Second Reading May 8, 2012
Third Reading: June 5, 2012

The Chairman called for third reading of the Ordinance. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Ms. Johnson	- aye
Mr. Qualey	- absent at time of voting
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- absent
Mr. Pryor	- aye

The vote being seven (7) ayes and 2 absent, the Chairman declared the Ordinance to have passed third reading.

Mr. Qualey had left the room and did not vote; however, he furnished the Clerk with a Statement of Conflict of Interest citing that he had performed legal services for the applicant.

An Ordinance rezoning the 2435 Etiwan Avenue Property was given second reading by title only.

**2435 Etiwan
Avenue
Ordinance 2nd
Reading**

AN ORDINANCE

REZONING THE REAL PROPERTTY LOCATED AT 2435 ETIWAN AVENUE, PARCEL IDENTIFICATION NUMBER 310-06-00-029, FROM THE MIXED SYTLE RESIDENTIAL 12(M-12) DISTRICT TO THE COMMUNITY COMMERCIAL (CC) DISTRICT.

The Ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

The Chairman called for second reading of the Ordinance. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Ms. Johnson	- aye
Mr. Qualey	- absent at time of voting
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- absent
Mr. Pryor	- aye

The vote being seven (7) ayes and 2 absent, the Chairman declared the Ordinance to have passed second reading.

**Consent Agenda
SC DHEC
OCRM Grant
Transportation
Sales Tax Grant
Lutheran Homes
JEDA Bonds**

The Chairman announced that the next item on Council's agenda was the Consent Agenda.

Ms. Condon moved approval of Committee recommendations, seconded by Ms. Johnson, and carried.

The Agenda items are as follows:

A report was read from the Finance Committee under date of May 31, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Jim Armstrong, Assistant Administrator for Transportation, regarding the South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management (DHEC-OCRM) solicitation of applications for coastal access improvement funding of up to \$1,000,000 of total funding available under a supplemental appropriation from the South Carolina General Assembly and this funding has been allowed to only allocate funds for coastal access improvement projects per Proviso 22.34 of the 2011-2012 South Carolina Appropriations Bill. It was stated that any county or municipality within the eight-county coastal zone of South Carolina is eligible to apply for funding, and the projects will be selected by a DHEC-OCRM review panel. It was further shown that the Transportation Development staff has reviewed the list of active Transportation Sales Tax projects and determined that the following projects represent the best candidates for funding under the program:

1. Ben Sawyer Boulevard Multi-Use Path (Center Street to Middle Street).
2. SC 174 Recreational Water Access

It was further stated that no minimum local match is established in the application; however funding preference will be given to requests that do not exceed 50% of the total eligible costs for the project; therefore, any DHEC-OCRM funds received will supplement Transportation Sales Tax funds previously allocated to the project by Charleston County Council as well as federal and state grants previously awarded to the projects.

Committee recommended that Council authorize staff to submit grant applications for the following projects:

1. Ben Sawyer Boulevard Multi-Use Path (Center Street to Middle Street).
2. SC 174 Recreational Water Access

with the understanding that any funds received from a Grant Award will be used by the Transportation Development Department to supplement previously allocated Transportation Sales Tax funds for the construction of these projects, and with the further understanding that there are no FTEs or re-occurring cost associated with this request.

A report was read from the Finance Committee under date of May 31 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Jim Armstrong, Assistant County Administrator for Transportation, regarding three projects in the Transportation Development Department that have been awarded grants. It was stated that all three grants require a 20% match that could come from Transportation Sales Tax funds that were previously allocated to the projects. The three projects are:

St. Andrews Blvd Bike Lanes & SC-61 Resurfacing – This project was awarded a \$200,000 grant through the SCDOT/FHWA Transportation Enhancement Program for the striping of bike lanes on St Andrews Blvd from Wesley Drive to Old Town Road.

SC-174 (Edisto Island National Scenic Byway) Bike Lanes – This project was awarded \$635,500 from the 2011 FHWA National Scenic Byways Grants Program to construct designated bike lanes for 2.5 miles on SC-174 to connect the Edisto Beach State Park and the Botany Bay Plantation.

SC-174 (Edisto Island National Scenic Byway) Creek Bridges Improvement – This project was awarded \$269,280 from the 2011 FHWA National Scenic Byways Grants Program to provide recreational access to Edisto Island's waterways for fishing, crabbing and kayaking at Sand Creek, Store Creek and Russell Creek. The three bridges are being replaced by SCDOT and the old bridge locations will be enhanced with parking and pullover areas to provide easier access for fishing, crabbing, kayaking and recreational use.

Committee recommended that Council authorize staff to receive grant funds for the following projects:

1. St Andrews Blvd Bike Lanes & SC-61 Resurfacing Project
2. SC-174 (Edisto Island National Scenic Byway) Bike Lanes Project
3. SC-174 (Edisto Island National Scenic Byway) Creek Bridges Improvements,

with the understanding that these funds will allow the Transportation Development Department to supplement previously allocated Transportation Sales Tax funds for the construction of these projects, and the required 20% match would come from Transportation Sales Tax funds previously allocated to the projects, and there are no FTEs or re-occurring cost associated with this request.

A report was read from the Finance Committee meeting of May 31, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and

Mitchell Johnson, Esquire, Attorney for Lutheran Homes of South Carolina, Inc., regarding a request for Council to approve a Resolution in support of the issuance by the South Carolina Jobs Economic Development Authority for its Economic Development Revenue Refunding Bonds in an amount not to exceed \$15,500,000. It was stated that the County support the JEDA Bonds request, but has no obligation for repayment. It was further stated that a public hearing on the JEDA Bond request is scheduled at 6:55 p.m. on Tuesday, June 5, 2011.

That Council authorize a public hearing on this matter on June 5th at 6:55 p.m. and if everything is in order sign the requested Resolution.

The Resolution is as follows:

A RESOLUTION

IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS - ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (THE LUTHERAN HOMES OF SOUTH CAROLINA, INC.) SERIES 2012 IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,500,000 PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs - Economic Development Authority (the "**Authority**") is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, Code of Laws of South Carolina 1976, as amended (the "**Act**"), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in §41-43-160 of the Act in order to promote and develop the business and economic welfare of the State of South Carolina (the "**State**"), encourage and assist in the location of new business enterprises in the State and in rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities, and capital equipment produced within the State, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State; and

WHEREAS, the Authority is further authorized by §41-43-110 of the Act to issue (i) revenue bonds payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any purpose authorized by the Act, and (ii) refunding bonds to refund outstanding bonds in an amount as the Authority shall consider necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon, and any premiums, expenses, and commissions necessary to be paid in connection with the refunding of the refunded bonds or the issuance and delivery of the refunding bonds; and

WHEREAS, on July 10, 1998, the Authority issued its \$47,420,000 South Carolina Jobs - Economic Development Authority, First Mortgage Health Facilities Revenue Refunding Bonds (The Lutheran Homes of South Carolina, Inc.) Series 1998 (the "**Series 1998 Bonds**"); and

WHEREAS, it has been determined that in order to obtain funds to lend to The Lutheran Homes of South Carolina, Inc. (the "**Borrower**"), a South Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, to defray the cost of refunding the portion of the Series 1998 Bonds maturing on or before May 1, 2020 (collectively, the "**Bonds to be Refunded**"), including necessary expenses incidental thereto, the Authority will issue a series of its revenue refunding bonds in a principal amount not to exceed \$15,000,000 to be designated "South Carolina Jobs - Economic Development Authority, Economic Development Refunding Revenue Bonds (The Lutheran Homes of South Carolina, Inc.) Series 2012" (the "**Series 2012 Bonds**"); and

WHEREAS, a portion of the proceeds of the Series 1998 Bonds was used to refinance, among other things, the acquisition, construction, furnishing, and equipping of land, buildings, fixtures, machinery, and equipment constituting a 136-bed continuing care retirement facility (the "**Charleston County Project**") in Charleston County, South Carolina (the "**County**"), owned and operated by the Borrower, and located at 1885 Rifle Range Road in Mt. Pleasant, South Carolina; and

WHEREAS, the Authority and the County have this day jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in the County not less than fifteen (15) days prior to the date hereof, at which all interested persons were given a reasonable opportunity to express their views,

NOW, THEREFORE, BE IT RESOLVED by Charleston County Council ("**County Council**") as follows:

Section 1. It is hereby found, determined, and declared, that the Charleston County Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise provided locally.

Section 2. The County supports the Authority in its determination to issue the Series 2012 Bonds to defray a portion of the cost of the refunding the Bonds to be Refunded.

Section 3. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this Resolution shall take effect and be in full force from and after its adoption.

A report was read from the Finance Committee meeting of May 31st, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Jim Armstrong, Assistant County Administrator for Transportation, regarding final construction plans for the West Ashley Circle. It was stated that the City of Charleston, which is responsible for right of way acquisition for the project, has secured right of way for the southeast quadrant of the Circle and right of way acquisition for the northern half of the circle remains in negotiation between the City and the affected property owners. It was shown that the City is proposing revisions to the design of the circle to support their ongoing right of way negotiations. It was further shown that to incorporate the revisions into the project would require that the right of way and final construction plans be substantially revised and for the revisions be incorporated into a revised wetland permit application to the US Army Corps of Engineers. The City by letter indicates that the City

would accept responsibility for the cost of design and permitting revisions. It was stated that since the southeastern quadrant of the circle is unaffected by the revisions, it may be possible to pursue construction of the southeastern quadrant on an accelerated schedule while the revisions to the northern half are resolved between the City of Charleston and the property owners. It was shown that moving forward with the southeastern quadrant of the circle would still require that Charleston County obtain a wetland permit from the US Army Corps of Engineers, however since the wetland impacts would be less and plan revisions minimal, it would only be expected to take approximately 5 months at a cost of approximately \$20,000.

Committee Recommended that Council defer this action until its June 12th Finance Committee meeting.

Mr. Rawl moved approval of Committee recommendation, seconded by Ms. Condon and carried.

FY2013 Annual Allocation Projects

A report was read from the Finance Committee under date of May 31st, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator. and Jim Armstrong, Assistant County Administrator for Transportation Development, regarding securing Council approval for the prioritized lists and the resulting recommendation within each category so that staff may continue the development of the requested projects. It was stated that Staff has utilized the approved Objective Evaluation and Prioritization process to create a prioritized list of projects to be funded by FY 2013 Annual Allocation funds from the Transportation Sales Tax.

Committee recommended that Council approve the list of prioritized projects which were developed through the use of the Objective Evaluation and Prioritization Process, to be funded by the Annual Allocation funds of the Transportation Sales Tax for Fiscal Year 2013.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Schweers, and carried.

Rural Greenbelt Projects

A report was read from the Finance Committee meeting of May 31, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Cathy Ruff, Director of Greenbelt projects, regarding the rural greenbelt projects listed below that have been reviewed and approved/disapproved by the Greenbelt Bank Board.

Recommended by Greenbelt Bank Board for approval:

Applicant	Project Name	Acres	Funding
Lowcountry Open Land Trust	Rosebank Plantation	1,084	\$ 774,250
Lowcountry Open Land Trust	Wilson-Bugby	396	\$ 386,250
SC Dept. of Natural Resources	Clark Tract	88	\$ 154,000
US Fish & Wildlife Service	Papa's Island	104	\$ 188,000
Wadmalaw Isl. Citizens Improvement Committee	Katy Hill Road	6	\$ 43,800
TOTAL		1678	\$1,546,300

It was stated that approval of the US Fish & Wildlife Service application was approved for 47% of the final appraised value up to \$188,000 with a 53% match and that the Wadmalaw Island Citizens Improvement Committee's application was approved with

condition that the adjacent 12 acres currently owned by the Committee have deed restrictions placed on it to include no subdivision; a significant wetland buffer; and a restriction on cutting timber. The applicant also offered to place a restriction on the subject property to limit impervious surfaces to 2% of the total acreage.

Recommended by Greenbelt Bank Board for disapproval at their May 3, 2012, meeting:

Applicant	Project Name	Acres	Funding
St. Paul AME Church	Pinkney Tract	7.5	\$633,000

It was stated that the Pinkney Tract is a 7.45 acre wooded lot located in the Adams Run area off of Highway 17 South. The property is zoned community commercial and currently contains a cell tower on .46 acres of the land. The non-profit organization, St. Paul CME Church, located in Walterboro requested to purchase the property for a publically accessible recreational facility with picnic areas, trails and other passive recreational uses. The Members of the Bank Board stated that they felt this property was more expensive than other land in the area and was not suitable for recreational activities with children due to the active railroad that runs along the property and in addition the Board felt that this project did not fit the purposes of the Greenbelt Plan to provide greenspace for Charleston County at large, but instead would only provide a "satellite" site for the church. The board voted unanimously to recommend disapproval of the project.

Committee recommended that Council:

1. Approve funding for the following rural greenbelt projects with the conditions listed below, provided that upon approval, grant agreements will be executed between the County and appropriate parties.

Applicant	Type	Project Name	Acres	Funding
Lowcountry Open Land Trust	Easement	Rosebank Plantation	1,084	\$774,250
Lowcountry Open Land Trust	Easement	Wilson-Bugby	396	\$386,250
SC Dept. of Natural Resources	Fee Simple	Clark Tract	88	\$154,000
US Fish & Wildlife Service	Fee Simple	Papa's Island	104	\$188,000
Wadmalaw Isl. Citizens Improvement Committee	Fee Simple	Katy Hill Road	6	\$43,800
TOTAL			1678	\$1,546,300

With Conditions as follows:

1. US Fish and Wildlife Service - Papa's Island: Approve for 47% of the final appraised value up to \$188,000 with at 53% match.
2. Wadmalaw Island Citizens Improvement Committee – Katy Hill Road: Approve with condition that the adjacent 12 acres currently owned by the Committee have deed restrictions placed on it to include no subdivision; a significant wetland buffer; and a restriction on cutting timber. The specific restrictions on the adjacent property are subject to approval by the County Administrator and County Attorney prior to closing. Additionally, the greenbelt property will have a

deed restriction limiting impervious surfaces to a maximum of 2% of the total acreage.

3. Disapprove the St. Paul AME Church's Pinkney Tract project.
4. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments to implement the conditions of the approval of the grant funds, and to effectuate the goals of the Greenbelt Program ordinances and policies.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Schweers and carried.

Mr. Qualey abstained and furnished the Clerk with a Statement of Conflict of Interest which stated that his wife was a property owner in Rosebank Plantation.

Mr. Sass abstained on the Wilson Bugby Application and furnished the Clerk with a Statement of Conflict of Interest, citing that his Company had appraised the property for the owners for the proposed easement values.

**Urban Greenbelt
Projects**

A report was read from the Finance Committee under date of May 31^s, 2012 that it considered the information furnished by information furnished by W. Kurt Taylor, County Administrator and Cathy Ruff, Director of Greenbelt projects, regarding urban greenbelt projects that have been reviewed by the Urban Grants Review Committee and the Charleston County Park and Recreation Commission and are being recommended for approval.

Applicant	Project Name	Acres	Funding
City of Folly Beach	(ADA Compliant) Beach Walkover	.20	\$15,736.50
City of North Charleston	4330 O'Hear Avenue	1.76	\$195,000.00
TOTAL		1.96	\$210,736.50

It was stated that the Urban Grants Review Committee unanimously approved these projects at their May 1, 2012 meeting and the Charleston County Park and Recreation Commission approved the projects at their May 21, 2012 meeting.

Committee recommended that Council:

1. Approve funding for the following urban greenbelt projects listed below, provided that upon approval, grant agreements will be executed between the County and appropriate parties.

Applicant	Project Name	Acres	Funding
City of Folly Beach	Beach Walkover	.20	\$15,736.50
City of North Charleston	4330 O'Hear Avenue	1.76	\$195,000.00
TOTAL		1.96	\$210,736.50

2. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments to implement the conditions of the approval of the grant funds, and to effectuate the goals of the Greenbelt Program ordinances and policies.
3. Approve the use of \$210,736.50 to be funded from a combination of Greenbelt Operating Contingency and/or 2011 General Obligation Bonds.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Schweers, and carried.

**Project Quality
FILOT
Ordinance
Request to
Approve
Ordinance 1st
Reading**

A report was read from the Finance Committee under date of May 31, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator. and Steve Dykes, Director of Economic Development, regarding discussion between the Economic Development Director and a manufacturer contemplating establishment of a new facility in Charleston County. It was stated that the Company has plans to invest over \$56 million, and to create 98 new jobs with an estimated annual payroll of \$3 million. It was shown that In order to facilitate this new facility, the Economic Development Director committed to the use of fee-in-lieu-of-taxes (FILOT) on the company's new investment, as well as a Special Source Revenue Credit (SSRC) equal to 20% of the projected 30-year FILOT revenues. It was further shown that the FILOT would feature a standard assessment rate of 6% and millage locked at the current tax rate for Tax District 4-3 (City of North Charleston) of 269.5 over the twenty year term. It was further stated that for competitive and timing reasons, the company prefers to keep its identity confidential as it finalizes its decision but will, however, reveal its identity prior to third and final reading.

Committee recommended that Council approve and give first reading to an ordinance authorizing a fee-in-lieu-of-taxes (FILOT) agreement to include fee-in-lieu-of-taxes (FILOT) and a special source revenue credit (SSRC) to facilitate the new \$56 million, 98-person facility by "Project Quality", with the understanding that the FILOT terms will include a 6% assessment rate, with millage fixed at the current rate of 269.5 over the thirty year term and an SSRC equivalent to 20% of the projected revenues in years 1 through 20, subject to capital investment and payroll claw backs.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Pryor, and carried.

An Ordinance authorizing the execution and delivery of a fee agreement was given first reading by title only.

AN ORDINANCE

AUTHORIZING, PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND PROJECT QUALITY, PROVIDING FOR SPECIAL SOURCE REVENUE, OR INFRASTRUCTURE IMPROVEMENT CREDITS, PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES UNDER THE AGREEMENT FOR DEVELOPMENT FOR JOINT COUNTY INDUSTRIAL PARK BETWEEN CHARLESTON COUNTY AND COLLETON COUNTY AND MATTERS RELATING THERETO.

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**Military Policy
Council
Resolution**

A report was read from the Special Finance Committee meeting of February 5, 2012 that it considered the information furnished by Council Chairman Teddie E. Pryor, Sr., regarding Council approving a Resolution encouraging the South Carolina Federal Delegation to take any action necessary that will stop sequestration, and its impact to the local economy.

Committee recommended that Council approve the Resolution and send individual copies to our South Carolina Federal Legislative Delegation.

Ms. Condon moved approval of Committee recommendation, seconded by Ms. Johnson, and carried.

The Resolution is as follows:



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, Charleston County Government, along with the governments of Berkeley County, Dorchester County, City of Charleston and City of North Charleston, are members of the Charleston Metro Chamber of Commerce's Military Policy Council and have contributed funds to the Military Policy Council's efforts on an annual basis since 2001; **and,**

WHEREAS, the Military Policy Council was formed in 2001, in preparation for BRAC 2005 and the purpose of the Military Policy Council is to develop and implement an overall strategy to expand military and federal facilities and operations in the Charleston region; **and,**

WHEREAS, the Military Policy Council has continued to operate since that time, focusing on retention and expansion efforts and has recently alerted local government entities of the possibility of sequestration being enforced beginning in FY2013; **and,**

WHEREAS, sequestration is a procedure by which an automatic spending cut is triggered and it was most recently implemented in the Budget Control Act of 2011 which included spending cuts but required a Congressional "super committee" to agree on at least \$1.2 trillion in additional budget cuts by that November or face sequestration for this amount; **and,**

WHEREAS, the super committee failed to achieve agreement, and sequestration-level cuts are now required beginning in FY2013 and unless Congress takes action, sequestration will be implemented January 1, 2013 when an estimated \$497 billion in cuts to the Department of Defense will automatically go into effect nation-wide; **and**,

WHEREAS, combined with the already proposed \$400+ billion in Department of Defense cuts proposed by the Administration, the combined cuts would deal a devastating blow to the economy of the region and with sequestration, the Charleston area military would be cut by at least 50 percent – a loss of more than \$2.33 billion to the local economy; **and**,

WHEREAS, Joint Base Charleston, which united the Charleston Air Force Base with the Naval Weapons Station is now the region's largest single employer with 20,172 employees, their combined payroll has an annual economic impact of \$4.36 billion to the region's economy, the United States military and Coast Guard personnel in the Charleston region (Charleston, Dorchester and Berkeley Counties) result in a total annual economic impact of \$4.67 billion according to the Charleston Metro Chamber of Commerce's Center for Business Research, and the same study shows there are 22,000 active duty, reserve and civilian personnel working for the Department of Defense and Department of Homeland Security in the Charleston region with a combined annual payroll of \$840 million.

NOW, THEREFORE, BE IT RESOLVED, Charleston County Council does hereby encourage the Federal Delegation of South Carolina to take any action necessary that will stop sequestration, its impact to the local economy and similar impact to local economies across this great nation.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman
June 5, 2012

**FY 2013
Charleston
County PRC
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the Charleston County Park and Recreation Commission

Committee recommended that Council approve and give first reading to the Charleston County Park and Recreation Commission FY 2013 budget.

Ms. Johnson moved approval of Committee recommendation, seconded by Ms. Condon and carried.

An Ordinance approving the FY Budget of the Charleston County Park and Recreation Commission was given first reading by title only

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT

TAXES FOR THE CHARLESTON COUNTY PARK AND RECREATION COMMISSION
FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**FY 2013 Cooper
River Park &
Playground
Commission
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012, that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the Cooper River Park and Playground Commission.

Committee recommended that Council approve and give first reading to the Cooper River Park and Playground Commission FY 2013 budget.

Mr. Qualey moved approval of Committee recommendation, seconded by Ms. Johnson, and carried.

An Ordinance approving the FY 2013 budget of the Cooper River Park and Playground Commission was given first reading by title only.

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE COOPER RIVER PARK AND PLAYGROUND COMMISSION FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**FY 2013 Budget
James Island
PSD Ordinance
1st Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the James Island PSD

Committee recommended that Council approve and give first reading to the James Island PSD FY 2013 budget.

Ms. Johnson moved approval of Committee recommendation, seconded by Ms. Condon and carried.

An Ordinance approving the FY 2013 budget for the James Island PSD was given first reading by title only.

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE JAMES ISLAND PSD FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**FY 2013 Budget
North
Charleston
District
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the North Charleston District Budget.

Committee recommended that Council approve and give first reading to the North Charleston District FY 2013 budget.

Ms. Johnson moved approval of Committee recommendation, seconded by Ms. Condon and carried.

An Ordinance approving the FY 2013 Budget for North Charleston District was given first reading by title only.

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE NORTH CHARLESTON DISTRICT FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**FY 2013 Budget
St. Andrews
Parish Park &
Recreation
Commission
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012, that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the St. Andrews Parish Park and Recreation Commission

Committee recommended that Council approve and give first reading to the St. Andrews Parish Park and Playground Commission FY 2013 budget.

Ms. Johnson moved approval of Committee recommendation, seconded by Mr. Pryor and carried. Ms. Condon voted nay.

An Ordinance approving the FY 2013 Budget for St. Andrews Parish Park and Recreation Commission was given first reading by title only

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE ST. ANDREWS PARK AND PLAYGROUND COMMISSION FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**Consent Agenda
SC DHEC
OCRM Grant
Transportation
Sales Tax Grant
Lutheran Homes
JEDA Bonds**

**FY 2013 Budget
St. Johns Fire
District
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the St. John's Fire District Budget

Committee recommended that Council approve and give first reading to the budget or the St. John's Fire District.

Ms. Johnson moved approval of Committee recommendation, seconded by Ms. Condon and carried. Mr. Schweers voted nay.

An Ordinance approving the FY 2013 budget for the St. John's Fire District was given first reading by title only.

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE ST. JOHN'S FIRE DISTRICT FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**FY 2013 Budget
St. Pauls Fire
District
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting under date of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Budget for the St. Pauls Fire District.

Committee recommended that Council approve and give first reading to the St. Pauls Fire District FY 2013 budget.

Ms. Johnson moved approval of Committee recommendation, seconded by Ms. Condon and carried. Mr. Schweers voted nay.

An Ordinance approving the FY 2013 budget for the St. Pauls Fire District was given first reading by title only

AN ORDINANCE

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE ST. PAULS FIRE DISTRICT FOR FISCAL YEAR 2012-2013

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

FY 2013 Capital Improvement Plan; Capital Improvement Plan Appropriations; Debit Management Plan; YDY Comprehensive Plan of Expenditures

A report was read from the special Finance Committee meeting of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Staff, regarding the Fiscal Year 2013 Capital Improvement Plans, the Capital Improvement Plans Appropriations, Debt Management Plan; and the TST Comprehensive Plan of Expenditures.

Committee recommended that Council approve

- Capital Improvement Plan
- Capital Improvement Plan Appropriations
- Environmental Management Capital Improvement Plan
- Debt Management Plan

Mr. Darby moved approval of Committee recommendation, seconded by Mr. Sass and carried.

FY 2013 Transportation Sales Tax Budget Request to Approve Ordinance 1st Reading

A report was read from the special Finance Committee meeting of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Transportation Sales Tax Budget.

Committee recommended that Council approve and give first reading to the Transportation Sales Tax Budget for FY 2013.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Pryor and carried. Council Members Darby, Johnson and Qualey voted nay.

An Ordinance to approve the FY 2013 budget for the Transportation Sales Tax Special Revenue Fund was given first reading by title only.

An Ordinance to approve the FY 2013 budget for the Transportation Sales Tax Special Revenue Fund was given first reading by title only

CHARLESTON COUNTY ORDINANCE

TO ESTABLISH AND MAKE APPROPRIATIONS FOR FISCAL YEAR 2013 FROM THE TRANSPORTATION SALES TAX SPECIAL REVENUE FUND FOR PROJECTS AND PURPOSES PERMITTED BY LAW; TO PROVIDE FOR BUDGET CONTROL OF SAID APPROPRIATIONS BY THE COUNTY COUNCIL AND THE COUNTY ADMINISTRATOR; AND OTHER MATTERS RELATED THERETO

The Ordinance in its entirety will appear in the minutes of County Council at the time of third reading.

FY 2013 Solid Waste User Fee Request to Approve Ordinance 1st Reading

A report was read from the special Finance Committee meeting of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Solid Waste User Fee Budget.

Committee recommended that Council approve and give first reading to the Solid Waste User Fee Ordinance.

Ms. Condon moved approval of Committee recommendation, seconded by Ms. Johnson and carried.

An Ordinance approving the FY 2013 Solid Waste User Fee Budget was given first reading by title only.

AN ORDINANCE

RELATING TO THE IMPOSITION OF ANNUAL SOLID WASTE RECYCLING AND DISPOSAL FEES FOR THE DISPOSITION OF SOLID WASTE AND RECYCLING; PROVIDING FOR CLASSIFICATIONS OF REAL PROPERTY SUBJECT TO ANNUAL SOLID WASTE RECYCLING AND DISPOSAL FEES AND ESTABLISHING THE AMOUNT OF THE ANNUAL SOLID WASTE RECYCLING AND DISPOSAL FEES.

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**FY 2013 County
Budget
Request to
Approve
Ordinance 1st
Reading**

A report was read from the special Finance Committee meeting of June 5, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Mack Gile, Budget Director, regarding the FY 2013 Charleston County Budget.

Committee recommended that Council approve and give first reading to the Charleston County Budget Ordinance

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Rawl, and carried. Council Members Darby, Johnson and Schweers voted nay.

An Ordinance approving the FY 2013 Charleston County Budget was given first reading by title only.

CHARLESTON COUNTY ORDINANCE

PROVIDING FOR THE LEVY OF TAXES FOR CORPORATE PURPOSES OF CHARLESTON COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013, HEREINAFTER REFERRED TO AS FISCAL YEAR 2013; MAKING APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDS OF CHARLESTON COUNTY FOR SUCH PURPOSES; AND FURTHER PROVIDING FOR THE LEVY OF TAXES FOR CORPORATE PURPOSES OF CHARLESTON COUNTY, INCLUDING THE AWENDAW CONSOLIDATED FIRE DISTRICT, EAST COOPER FIRE DISTRICT, NORTHERN CHARLESTON COUNTY FIRE DISTRICT, WEST ST. ANDREW'S FIRE DISTRICT, AND TRIDENT TECHNICAL COLLEGE FOR FISCAL YEAR 2013; PROVIDING FOR APPROPRIATIONS FROM SUCH SPECIAL FUNDS CREATED FOR THE PURPOSES OF THE AWENDAW CONSOLIDATED FIRE DISTRICT, EAST COOPER FIRE DISTRICT, NORTHERN CHARLESTON COUNTY FIRE DISTRICT, WEST ST. ANDREW'S FIRE DISTRICT, AND TRIDENT TECHNICAL COLLEGE IN ORDER TO SUPPLY THE NECESSARY FUNCTIONS OF THE UNITS; PROVIDING FOR BUDGET CONTROL OF THE APPROPRIATIONS BY THE CHARLESTON COUNTY COUNCIL AND THE COUNTY ADMINISTRATOR; MAKING PROVISIONS FOR THE FISCAL AFFAIRS OF CHARLESTON COUNTY; AND PROVIDING FOR THE ISSUANCE OF TAX ANTICIPATION NOTES IN AN AMOUNT UP TO \$25,000,000 FOR CHARLESTON COUNTY AND UP TO \$200,000 FOR THE AWENDAW CONSOLIDATED FIRE DISTRICT.

The Ordinance in its entirety will appear in the minutes of County Council at the time of third reading.

There being no further business to come before the Body, the Chairman declared the meeting to be adjourned.

Beverly T. Craven
Clerk of Council